

Nadler's Statement on Possible White House Review of EPA's Response to 9/11

Monday, 29 September 2003

Washington, DC -- Congressman Jerrold Nadler (D-NY) made the following statement on the Bush Administration's possible review of the EPA's response to 9/11:

"It has come to my attention that the Bush Administration may initiate a data review of the EPA's response at the World Trade Center. While any effort to get at the truth is a welcome one, such an effort must not serve to delay action to protect the public health. It has been over two years, and this matter has already been investigated, most notably by the EPA's own Office of Inspector General (OIG). However, I recognize that it is important to move this issue forward, and I applaud Senator Clinton's efforts to get the White House to address and resolve the numerous issues presented in this case.

"The facts are clear. World Trade Center debris settled in people's homes, businesses and schools, yet the EPA has never conducted a comprehensive testing program to determine the extent of this contamination. Although the EPA announced a limited Indoor Cleanup Program in May of 2002, only 4,000 of 20,000 downtown apartments have been tested and none of the tens of thousands of workspace in over 1900 buildings downtown Manhattan. The EPA OIG Report documented several problems with the EPA Indoor Program, and made a series of common sense recommendations. The EPA has not signaled any willingness to adopt these recommendations. Under the federal government's terrorism response policies, the EPA is mandated to clean up buildings contaminated in a terrorist attack. The EPA still has not complied with this mandate.

"World Trade Center contamination exists to this day, presenting a health risk for thousands of people. Recent studies show that over 50% of rescue workers are sick, as are many residents and people who work in the area. These people deserve action. The time for conducting scientifically questionable studies is over. It's time to obey the law.

"The Democratic Leadership of the House of Representatives nevertheless continues to call for a congressional investigation because the power of the subpoena is important to get to the bottom of many of these questions.

"Should such a review go forward, if it seeks only to rubber stamp what the OIG and many others have already questioned as flawed EPA scientific studies and analyses, it will be seen as nothing more than a delaying and obfuscating tactic.

"Obviously, there are a fair amount of testing results and analyses contradicting the EPA's outdoor air assessments, like the study done by Dr. Thomas Cahill at the University of California-Davis in conjunction with the Department of Energy. His work, for example, must be included in any comprehensive review.

"However, there is a real problem when it comes to official data of indoor environments --the very real current concern. The EPA's Residential Indoor Air program did testing in 4,000 apartments, and they conducted a "Pilot Study" and a "Cleaning Method Study." The EPA announced that the results of these studies was confirmation that everything was "safe" in Lower Manhattan. However, these studies have been harshly criticized by the OIG for not meeting the minimum criteria for protecting human health that the EPA has established under the law, for using sub-par testing equipment and non-aggressive methodologies, and for only testing for one of the many contaminants of concern (asbestos). Unfortunately, beyond these EPA studies, there is really not much other existing data on indoor environments, other than private testing. Should this review become a reality, it must have seated at the table, scientific experts who are trusted by the local community of residents and workers and who have, along with the IG, been critical of EPA's scientific approaches.

"I, along with the residents and workers of New York, as well as those who worked on the pile from all across the country, applaud Senator Clinton for continuing her hold on Governor Leavitt's confirmation as EPA Administrator until the White House directly answers her questions, and until these issues are addressed."

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